

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIAN SKVARLA, on behalf of himself and all  
others similarly situated,

Case No.: 21-cv-00055

Plaintiff,

-against-

MRS BPO, LLC and JOHN AND JANE DOES 1-  
10,

Defendant.

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**NOTICE OF REMOVAL (FEDERAL QUESTION)**

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Pursuant to 28 U.S.C. §§ 1331 and 1441 *et seq.*, and 15 U.S.C. § 1692 *et seq.*, Defendant MRS BPO, LLC ("Defendant"), hereby gives notice of removal of this cause of action, under the caption *Brian Skvarla, on behalf of himself and all others similarly situated v. MRS BPO, LLC and John and Jane Does 1-10* from the Supreme Court of the State of New York, County of New York, under Index No.: 159552/2020 ("State Court Action") to the United States District Court for the Southern District of New York. In support of removal, Defendant, by and through its attorneys, states as follows:

1. On November 6, 2020, Plaintiff Brian Skvarla ("Plaintiff") filed this action in the Supreme Court of the State of New York, County of New York. A copy of the summons, complaint and exhibit A is attached and marked as Exhibit "A".

2. Plaintiff served Defendant via a personal service received on December 8, 2020. This removal is timely pursuant to 28 U.S.C. § 1446(b).

3. This action is a civil action of which this Honorable Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by Defendant pursuant to 28 U.S.C. § 1441(b) in that it presents a federal question, wherein Plaintiff alleges violations of the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.* This Court is the proper district for removal because the Supreme Court of the State of New York, County of New York is located within the jurisdiction of the United States District Court for the Southern District of New York.

4. The undersigned is not aware of any other documents that have been filed in this matter.

5. Notice of this removal will be filed with the Supreme Court of the State of New York, County of New York.

6. By virtue of this Notice of Removal of Action and the Notice filed in the Action, Defendant does not waive its rights to assert any personal jurisdictional defenses or file other pre-answer motions including Federal Rule of Civil Procedure 12 motions and/or motions to compel arbitration as permitted by the Federal Rules of Civil Procedure.

WHEREFORE, Defendant requests that further proceedings in the Supreme Court of the State of New York, County of New York, be discontinued and that this action be removed in its entirety to the United States District Court for the Southern District of New York, which will then assume full jurisdiction over this cause of action.

Respectfully submitted,

Dated: January 5, 2021

By /s/ Michael T. Etmund  
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